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**FACSIMILE COVER PAGE**

To: Examiner James R. Brittain

Fax No.: (703) 872-9326

No. of Pages: 6 (incl. this page)

From: David B. Dellenbach

Date: August 14, 2003

Serial No.: 09/998,145 ✓

Our File No.: 14591.11

For: EYEGLOSS RETIANER WITH DUEL USE CONNECTORS

Filed: November 30, 2001

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PLEASE SEE ATTACHED RESPONSE TO OFFICE ACTION MAILED JULY 14, 2003.

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PATENT APPLICATION  
Docket: 14591.11

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Mackay et al.

Serial No.:

09/998,145

Filed:

November 30, 2001

For:

EYEGLOSS RETAINER WITH  
DUAL USE CONNECTORS

Examiner:

James R. Brittain

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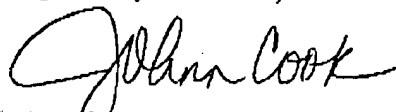
Sir:

I hereby certify that the following documents are being facsimile transmitted to the Patent and  
Trademark Office on the date shown below:

- Transmittal Letter (2 pgs.) (In Duplicate)
- Response to Office Action (2 pgs.)
- Facsimile Cover Sheet (1 pg.)

Dated this 14<sup>th</sup> day of August, 2003.

Respectfully submitted,



JoAnn Cook, Assistant to  
David B. Dellenbach  
Attorney for Applicant  
Registration No. 39,166

CUSTOMER NO. 022913

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## PATENT APPLICATION

Docket No. 14591.11

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Mackay et al.

Serial No.:

09/998,145

**Filed:**

November 30, 2001

For:

## EYEGLASS RETAINER WITH DUAL USE CONNECTORS

Examiner:

James R. Brittain

**Mail Stop Responses**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

TRANSMITTAL FOR RESPONSE TO OFFICE ACTION

**Sir:**

Transmitted herewith is a Response to the Office Action mailed July 14, 2003 for entry in the above-identified application.

- X To render the transmitted Response timely filed enclosed are the following:
- X A Certificate of Facsimile
- X No fee is required.

August 14, 2003  
Page 2

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- X The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 23-3178.
- X Any filing fees under 37 CFR 1.16 for the presentation of extra claims.
- X Any patent application processing fees under 37 CFR 1.17.
- X A duplicate copy of this transmittal letter is attached.

Dated this 14th day of August, 2003.

Respectfully submitted,



David B. Dellenbach  
Attorney for Applicant  
Registration No. 39,166

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GWSUBMITTED BY FACSIMILE:  
(703) 872-9326PATENT APPLICATION  
Docket No. 14591.11

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Mackay et al.

Serial No. 09/998,145

Filed: November 30, 2001

For: EYEGLOSS RETAINER WITH  
DUAL USE CONNECTORS

Examiner: James R. Brittain

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)RESPONSE TO OFFICE ACTIONMail Stop Responses  
Assistant Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed July 14, 2003, Applicants request reconsideration in light of the following remarks. First, the Applicants would like to clarify that claims 1-23 are pending since claims 21-23 were added in the last amendment. Second, the Applicants would like to point out that claim 21 is patentable over the cited references in part because the references do not disclose a kit comprising (i) an eyeglass, and (ii) an eyeglass retainer configure to selectively receive and retain a temple and an earpiece of the eyeglass.

Claims 22 and 23 are patentable in part because the cited references do not disclose a method for retaining an eyeglass that comprises (i) providing an eyeglass retainer configured to selectively retain a temple and an earpiece; and (ii) inserting the earpieces into respective connectors.

Wherefore, the Applicants respectfully request reconsideration in light of the remarks recited herein.

Should the Examiner have any questions or concerns which can be resolved by a discussion with the Applicant's attorney, the Examiner is invited to contact the Applicant's attorney by telephone at (801) 321-8826.

Dated this 14<sup>th</sup> day of August, 2003.

Respectfully submitted,



David B. Dellenbach  
Attorney for Applicant  
Registration No. 39,166

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